

Approved: _____

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Before: THE HONORABLE VICTORIA REZNIK
United States Magistrate Judge
Southern District of New York

UNITED STATES OF AMERICA

- v. -

TYMARIONE MARTIN,
a/k/a "Ty Ty,"
a/k/a "Shoota B,"

Defendant.

23 MJ 550V
~~DM~~ SEALED COMPLAINT

Violations of 21 U.S.C. § 841 and 18
U.S.C. § 924(c)

COUNTY OF OFFENSE:
DUTCHESS

SOUTHERN DISTRICT OF NEW YORK, ss.:

DANIEL ROSPERT, being duly sworn, deposes and says that he is a Special Agent with the Federal Bureau of Investigation ("FBI"), and charges as follows:

COUNT ONE

(Distribution and Possession with Intent to Distribute Crack Cocaine)

1. On or about June 9, 2023, in the Southern District of New York, TY-MARIONE MARTIN, a/k/a "Ty Ty," a/k/a "Shoota B" the defendant, knowingly did distribute and possess with intent to distribute a controlled substance, in violation of 21 U.S.C. § 841(a)(1).

2. The controlled substance involved in the offense was a mixture and substance containing a detectable amount of cocaine base, commonly referred to as "crack," in violation of 21 U.S.C. § 841(b)(1)(C).

(Title 21, United States Code, Section 841(a)(1) & (b)(1)(C).)

COUNT TWO

(Distribution and Possession with Intent to Distribute Crack Cocaine)

3. On or about June 30, 2023, in the Southern District of New York, TY-MARIONE MARTIN, a/k/a "Ty Ty," a/k/a "Shoota B," the defendant, knowingly did

distribute and possess with intent to distribute a controlled substance, in violation of 21 U.S.C. § 841(a)(1).

4. The controlled substance involved in the offense was a mixture and substance containing a detectible amount of cocaine base, commonly referred to as “crack,” in violation of 21 U.S.C. § 841(b)(1)(C).

(Title 21, United States Code, Section 841(a)(1) & (b)(1)(C).)

COUNT THREE

(Carrying, Using, and Possessing a Firearm During and in Relation to, and in Furtherance of, a Drug Trafficking Crime)

5. On or about June 9, 2023, in the Southern District of New York, TYMARIONE MARTIN, a/k/a “Ty Ty,” a/k/a “Shoota B,” the defendant, during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, namely, the distribution and possession with intent to distribute crack cocaine charged in Count One of this Complaint, knowingly did use and carry a firearm, and, in furtherance of such crime, did possess a firearm, to wit, a Diamondback DB9 9-millimeter semiautomatic handgun with a defaced serial number and a loaded magazine.

(Title 18, United States Code, Section 924(c)(1)(A)(i).)

The bases for my knowledge and for the foregoing charges are, in part, as follows:

6. I am a Special Agent with the FBI, and I have been personally involved in the investigation of this matter. This affidavit is based in part upon my conversations with other law-enforcement officers and others, and my examination of correspondence, reports, and records. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

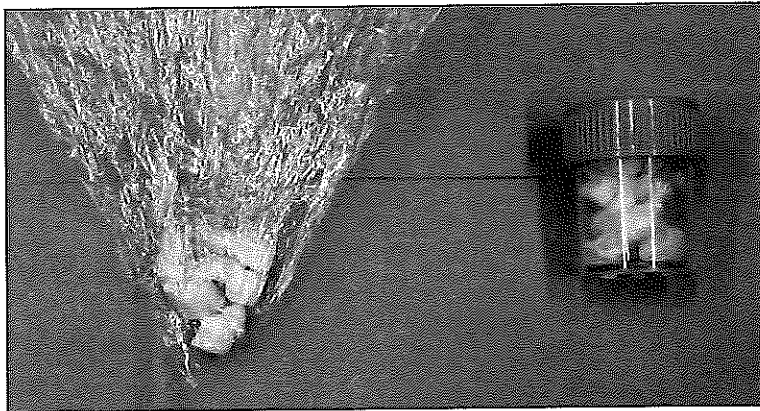
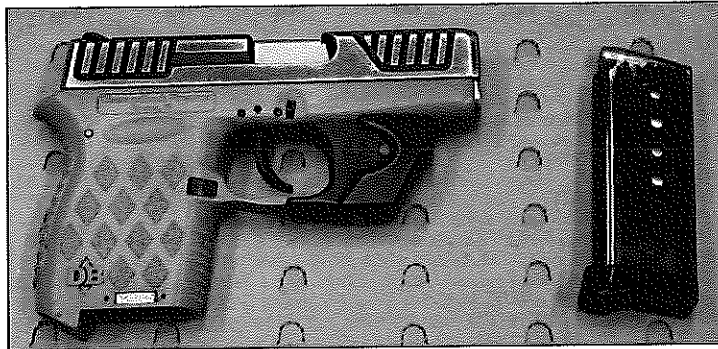
June 9, 2023

7. I have spoken with law enforcement officers with the City of Poughkeepsie Police Department (the “CPPD”) and reviewed reports and documents related to the arrest of TYMARIONE MARTIN, a/k/a “Ty Ty,” a/k/a “Shoota B,” the defendant, on or about June 9, 2023, and learned that, on that date, MARTIN was carrying both crack cocaine—packaged for resale—and a gun, and was arrested by the CPPD. In particular:

- a. On or about June 9, 2023, the CPPD executed a search warrant at a home on Church Street in Poughkeepsie, NY, looking for a

suspect in a shooting that occurred in or about February 2023. As part of their search, the CPPD ordered anybody in the home to step out so that the CPPD could secure the location. MARTIN was one of the people who came out of the home.

- b. After MARTIN walked out, an officer with the CPPD saw an L-shaped bulge in MARTIN's pants and searched him, finding: (1) a Diamondback DB9 9-millimeter semiautomatic handgun with a defaced serial number; and (2) a loaded magazine for the DB9 (which was not loaded in the gun). A subsequent search of MARTIN revealed that he was also in possession of approximately 15 individually knotted plastic bags containing a white, chunky substance.¹ The CPPD field tested the white, chunky substance, returning a positive result for cocaine base. Below are photos of the recovered handgun, magazine, and drugs.

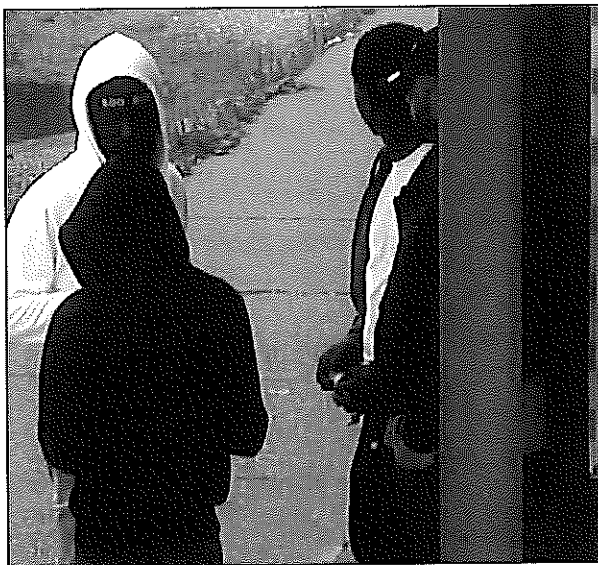


¹ An FBI task force officer who was personally involved in the June 9 law enforcement operation reported to me that, based on his training and experience, he recognizes the packaging of the approximately 15 individually knotted plastic bags as being consistent with packaging for resale.

June 30, 2023

8. I have spoken with law enforcement officers with the CPPD and reviewed reports and documents related to the arrest of TYMARIONE MARTIN, a/k/a “Ty Ty,” a/k/a “Shoota B,” the defendant, on or about June 30, 2023, and learned that, on that date, the CPPD watched MARTIN—by monitoring a city-operated camera—appear to sell drugs at least twice, and arrested MARTIN, who had crack cocaine, packaged for resale, hidden in his underwear.² In particular:

- a. A CPPD officer—monitoring a city-operated camera—saw MARTIN, wearing black jeans and a red hooded sweatshirt, standing on Main Street in Poughkeepsie, NY.
- b. At approximately 10:15 AM, the officer watched as a man wearing a dark jacket and black hat went up to MARTIN and handed him what appeared to be money. MARTIN then reached into the waistband area of his underwear and took out what appeared to be a clear plastic baggie containing a white substance, which the officer believed to be drugs. MARTIN then removed a small amount of the white substance and handed it to the man. Below is a screenshot from the surveillance camera footage, taken just before MARTIN handed the white substance—which is in MARTIN’s hand in the screenshot—to the man.



- c. At approximately 10:45 AM, the officer watched as a woman wearing a purple top and red shorts went up to MARTIN, who

² The surveillance video was recorded; I have since watched portions of the video myself.

reached into the waistband area of his underwear and shortly thereafter threw a small item—which the officer believes to be drugs—on the sidewalk. The woman threw what appeared to be money onto the sidewalk. The woman then picked up the item that MARTIN threw, and MARTIN picked up the money.³

- d. Later that morning, based on the two apparent drug sales that the CPPD officer saw on the city-operated camera earlier that day, CPPD officers approached and detained MARTIN and brought him to CPPD headquarters, where they discovered that MARTIN had approximately 14 individually packaged pieces of white, chunky substance, which were stored in plastic bags, and appeared to be packaged for resale, in his underwear. A field test of the white, chunky substance returned a positive result for cocaine base. Below is a photograph of the crack cocaine that MARTIN had hidden in his underwear.

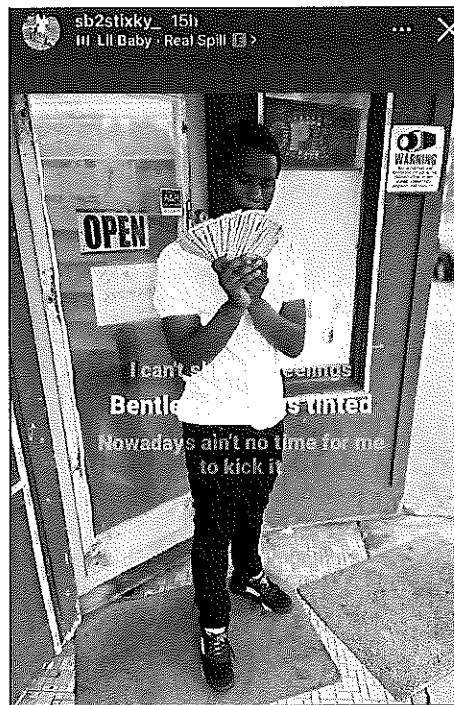


Martin's Personal Background

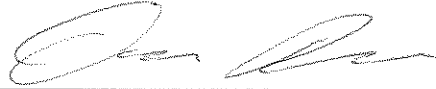
9. In order to determine whether TYMARIONE MARTIN, a/k/a “Ty Ty,” a/k/a “Shoota B,” the defendant, uses cocaine or crack cocaine personally, I have reviewed parole records, and learned that: (1) on or about June 13, 2023, MARTIN submitted to a toxicology test as part of his parole, and that test returned a negative result for all illegal substances; and (2) according to MARTIN’s parole officer, MARTIN is not currently known to be abusing any narcotics.

³ A detective with the CPPD—who is also an FBI task force officer—has told me that, in his experience, in Poughkeepsie, sometimes drug dealers and drug users exchange money for drugs by dropping or throwing the drugs and money onto the sidewalk, as MARTIN and the woman did here, rather than engaging in a hand-to-hand transaction.

10. I have spoken with a law enforcement officer who has reviewed the Instagram page for TYMARIONE MARTIN, a/k/a “Ty Ty,” a/k/a “Shoota B,” the defendant, who showed me screenshots from MARTIN’s Instagram page that the officer took on July 7, 2023. The Instagram page has a photograph of MARTIN as the profile picture, as well as the nickname “Shoota.B,” and MARTIN posted a photograph of himself on or about July 6, 2023—apparently in the same place where a CPPD officer saw MARTIN sell drugs twice on video on or about June 30, 2023—fanning numerous bills.



WHEREFORE, I respectfully request that a warrant be issued for the arrest of TYMARIONE MARTIN, a/k/a "Ty Ty," a/k/a "Shoota B," the defendant, and that he be arrested, and imprisoned or bailed, as the case may be.



DANIEL ROSPERT
Special Agent
Federal Bureau of Investigation

Sworn to before me this
13th day of July, 2023.



HONORABLE VICTORIA REZNIK
United States Magistrate Judge
Southern District of New York